

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re:

PATRICIA DARLENE McCART
Debtor

Chapter 13
Case No. 10-45804

OPPOSITION TO KONDAUR CAPITAL CORPORATION'S MOTION FOR RELIEF FROM
AUTOMATIC STAY PURSUANT OT 11 U.S.C. SEC. 362(d)

NOW COMES Patricia Darlene McCart and submits the following opposition to the Motion and Memorandum of Kondaur Capital Corporation for Relief from Automatic Stay Pursuant to 11 U.S.C. Sec. 362(d) (hereinafter the "Motion") and states as follows with regards to the allegations contained in Kondaur's Memorandum in Support of Motion for Relief from Stay:

1. The Debtor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph.
2. The Debtor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph.
3. The Debtor admits the allegations contained in this paragraph.
4. The Debtor admits the allegations contained in this paragraph.
5. The Debtor admits the allegations contained in this paragraph.
6. The Debtor is without knowledge or information sufficient to form a belief as to the pre-petition balance. The Debtor admits the remaining allegations of this paragraph.
7. The Debtor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph.
8. The Debtor admits the allegations contained in this paragraph.

9. The Debtor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph.
10. The Debtor admits the pre-petition default and accrual of late fees and legal expenses. The Debtor has no knowledge as to the amounts owed.
11. The Debtor admits the allegations contained in this paragraph.
12. The Debtor admits the allegations contained in this paragraph.
13. The Debtor admits the allegations contained in this paragraph.
14. The Debtor admits the allegations as to the existence of arrears. The Debtor is without knowledge or information sufficient to form a belief as to the amounts.
15. The Debtor admits the allegations contained in this paragraph.
16. The Debtor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph.
17. The Debtor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph.
18. The Debtor admits the allegations contained in this paragraph.
19. The Debtor submits that the allegations of paragraph 19 constitute a prayer for relief to which no response is necessary.
20. The Debtor is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph.

AFFIRMATIVE DEFENSE

The Debtor filed this Chapter 13 case pro-se. The Debtor advised counsel that after the filing of the case she was in direct contact with Kondaur and was advised by the Kondaur representative to the effect that post-petition payments would not be accepted by Kondaur.

WHEREFORE, the Ms. McCart respectfully requests this Court to deny the Motion and to grant such other and further relief as is just and proper.

PATRICIA DARLENE McCART,

by her counsel:

/s/ Vladimir von Timroth

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CERTIFICATE OF SERVICE

I, Vladimir von Timroth, do hereby certify that I will, upon receipt of the notice of electronic service, serve a copy of the within document by mailing the same to any of the parties below who are not deemed to have consented to electronic notice or service under EFR 9.

/s/ Vladimir von Timroth

Vladimir von Timroth, Esq., BBO #643553
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Dated: March 16, 2011

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